

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

_____	:	Chapter 11
In re:	:	
DELPHI CORPORATION, et al.,	:	Case No. 05-44481 (RDD)
	:	
Debtors.	:	(Jointly Administered)
	:	
_____	:	<u>AFFIDAVIT</u>

STATE OF ILLINOIS                    )  
  )     SS.:  
COUNTY OF COOK                    )

MARIA E. MAZZA, being duly sworn, deposes and says:

1. I am a member of Rieck and Crotty, P.C., attorneys for Petitioners, Liam P. O'Neil and Mary P. O'Neil. I am fully familiar with the facts and proceedings herein, and make this affidavit in support of Petitioners' Motion for Relief From Automatic Stay.

2. Petitioners are plaintiffs in a suit filed against Debtors, Delphi Corporation and Delphi Automotive Systems LLC ("Debtors"), and other defendants on June 27, 2003 in the Circuit Court of Cook County, Illinois, under the caption Mary P. O'Neill and Liam P. O'Neill v. General Motors Corp. et al., case number 03 L 7792 (hereinafter referred to as "State Court Litigation").

3. The Complaint filed in the State Court Litigation contains counts against Debtors for strict liability, negligence, and breach of express and implied warranties of merchantability relating to the malfunction of the electrical component parts and systems contained in a 2000 General Motors GMC Jimmy sport utility vehicle owned by Petitioners.

4. Petitioners believe that Debtors have insurance which may be applicable to their claims in the State Court Litigation against Debtors.

5. Petitioners seek relief from the automatic stay in order to proceed with the prosecution of the State Court Litigation filed against Debtors and to seek satisfaction of any judgment obtained against Debtors from any insurance coverage that may be applicable to Petitioners' claims against Debtors.

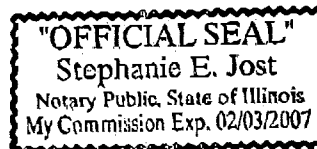
6. Petitioners agree to limit recovery of any judgment obtained against Debtors to any insurance that might be applicable to Petitioners' claims and agree that any judgment which might be entered in the State Court Litigation would not be a claim against any other assets of Debtors.

Further affiant sayeth not.

Maria E. Mazza  
Maria E. Mazza

Subscribed and Sworn to before  
me this 8<sup>th</sup> day of March 2006

Stephanie E. Jost  
Notary Public



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